UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,215	03/30/2001	Judith A. Goldstein	42390P10854	6074

8791 7590 06/29/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER	
COFFY, EMMANUEL	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/823,215	GOLDSTEIN, JUDITH A.	
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) *23 and 24* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22 and 25-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the Request for Continued Examination filed on 18 May 2005. Claims 1-30 are pending. Claims 1-3, 12-16, 18-21 and 26-29 are amended with claims 23 and 24 canceled.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive. Applicant endeavored to amend the claims to more particularly point out and distinctly claim the subject matter which applicant regards as the invention (remarks 2nd paragraph, page 10.) However, as written the claim is overly broad. A switch-box, wherein the switch-box comprises a memory buffer and a control as recited in claim 1 could be and is interpreted as any computing device because any computing device would contain memory and control at the very least. The switch functionality is to be articulated because as written any switch or router would read on that limitation. As for the memory, any proxy or router cache is memory and therefore reads on the invention as written. Furthermore, the switch is not used as a mechanism to transfer the data.

Be that as it may, the arguments are moot in view of new grounds of rejection.

3. The dependent and non-amended claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated. Applicant is advised that only the significant amendments are herein addressed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 2, 12 and 14 directed to an apparatus and a method are rejected under 35 USC 103(a) as being clearly anticipated by Petersen et al. (US 6,484,207) in view of Rankin et al. (US 6,338,084.)

Petersen teaches a network data switch which includes a memory buffer to which information is copied from a computing system selected via the network data switch from two or more network devices coupled with the network data switch as a result of a first substantially predetermined event. (See abstract).

Claim 1:

Referring to claim 1, Petersen teaches an apparatus comprising: a switch-box, wherein the switch-box comprises a memory buffer and a control, the memory buffer to which information is copied from a computing system selected via the switch-box from two or more computing systems coupled with the switch-box as a result of the control recognizing a first predetermined event. (See Fig.1 and col. 5, lines 23-25, **see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.)**)

wherein the first computing system comprises a standard cut-and-copy buffer and wherein the first dedicated predetermined event is an indication to copy the information

to the memory buffer in the switch-box and not to the standard cut-and-copy buffer of the first computing system.

Petersen does not specifically teach a first computing system comprising a standard cut-and-copy buffer. However, Rankin discloses such limitation at col. 2, line 61-col. 3, line 33. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the switching system taught by Petersen with the method fro process-specific exchange of data between machines in a network disclosed by Rankin because such system would write new data to the clipboard whereas the new data is not overwritten.

Claim 2:

The apparatus of claim 1, wherein the information copied from a the first computing system selected via the switch-box is copied to a second computing system of the two or more computing systems as a result of the control recognizing a second dedicated predetermined event wherein the second dedicated predetermined event is an indication to copy the information from the memory buffer in the switch-box to the second computing system.

This claim is objected to because it depends upon a rejected claim.

Claim 12:

A method comprising:

copying information from one of at least two or more computing systems to an external buffer included in a switch-box, the switch-box being accessible by the two or more computing systems, the copying occurring as a result of a control recognizing a

predetermined event, wherein the control is included in the switch-box. (See Fig.1 and col. 5, lines 23-25, **see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.)**)

wherein the first computing system comprises a standard cut-and-copy buffer and wherein the first dedicated predetermined event is an indication to copy the information to the memory buffer in the switch-box and not to the standard cut-and-copy buffer of the first computing system.

Petersen does not specifically teach a first computing system comprising a standard cut-and-copy buffer. However, Rankin discloses such limitation at col. 2, line 61-col. 3, line 33. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the switching system taught by Petersen with the method fro process-specific exchange of data between machines in a network disclosed by Rankin because such system would write new data to the clipboard whereas the new data is not overwritten.

Claim 14:

The method of claim 12, further comprising copying the information in the external buffer to a second computing system of the two or more computing systems as a result of a second dedicated predetermined event wherein the second dedicated predetermined event is an indication to copy the information from the external buffer in the switch-box to the second computing system.

This claim is objected to because it depends upon a rejected claim.

6. Claims 18, 19, 26 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over D'Arlach et al. (US 6,026,433) in view of Petersen et al. (U.S. 6,484,207) in further view of Rankin et al. (US 6,338,084.)

D'Arlach teaches a method for creating and editing a Web site in a client-server computer network. (See abstract).

Claim 18:

(Currently amended) A method comprising:

determining by a control in a switch-box that a first dedicated predetermined event has been generated by a user at a first computing system, wherein the user has an associated user-id and wherein the first computing system comprises a standard cut-and-copy buffer;

copying information from the first computing system to a network cut-and-paste data-structure as a result of the first dedicated predetermined event; wherein the first dedicated predetermined event is an indication to copy the information to the network cut-and-paste data-structure and not to the standard cut-and-copy buffer of the first computing system; and

associating the copied information with the associated user-id in the network cut-and-paste data-structure. (See col. 3, line 64 to col. 5, line 5.)

D'Arlach does not expressly disclose a memory buffer in conjunction with a switch-box. However, Petersen prominently teaches a memory buffer in conjunction

with a switch-box. (See Fig.1 and col. 5, lines 14-25, see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.))

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the copying system disclosed by D'Arlach because it would allow a user to perform editing functions remotely by providing access to the Internet.

Neither Petersen nor D'Arlach specifically teach a first computing system comprising a standard cut-and-copy buffer. However, Rankin discloses such limitation at col. 2, line 61-col. 3, line 33. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the switching system taught by Petersen and the method of creating and editing a web site taught by D'Arlach with the method for process-specific exchange of data between machines in a network disclosed by Rankin because such system would write new data to the clipboard whereas the new data is not overwritten.

Claim 19:

The method of claim I 8, further comprising:

determining by the control that a second dedicated predetermined event has been generated by the user at a second computing system;

searching the network cut-and-paste data structure as a result of the

second dedicated predetermined event wherein the second dedicated predetermined event is an indication to copy the information from the network cut-and-paste data structure to the second computing system;

determining that the copied information associated with the associated user-id exists in the network cut-and-paste data structure; and

as a result, pasting the copied information from the network cut-and-paste data-structure to the second computing system.

This claim is objected to because it depends upon a rejected claim.

Claim 26:

(Currently amended) An article comprising: a storage medium having a plurality of machine-readable instructions, wherein when the instructions are executed by a computing system, the instructions provide for determining by a control in a switch-box that a first dedicated predetermined event has been generated by a user at a first computing system, wherein the user has an associated user-id and wherein the first computing system comprises a standard cut-and-copy buffer;

copying information from the first computing system to a network cut-and-paste data-structure as a result of the first dedicated predetermined event; wherein the first dedicated predetermined event is an indication to copy the information to the network cut-and-paste data-structure and not to the standard cut-and-copy buffer of the first computing system; and

associating the copied information with the associated user-id in the network cut-and-paste data-structure. (See col. 3, line 64 to col. 5, line 5.)

D'Arlach does not expressly disclose a memory buffer in conjunction with a switch-box. However, Petersen prominently teaches a memory buffer in conjunction

with a switch-box. (See Fig.1 and col. 5, lines 14-25, see also Fig. 4, storage control (412), retrieval control (438), buffer 3 (430.))

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to use the switching system taught by Petersen with the copying system disclosed by D'Arlach because it would allow a user to perform editing functions remotely by providing access to the Internet.

Neither Petersen nor D'Arlach specifically teach a first computing system comprising a standard cut-and-copy buffer. However, Rankin discloses such limitation at col. 2, line 61-col. 3, line 33. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the switching system taught by Petersen and the method of creating and editing a web site taught by D'Arlach with the method for process-specific exchange of data between machines in a network disclosed by Rankin because such system would write new data to the clipboard whereas the new data is not overwritten.

Claim 27:

The article of claim 26, further comprising instructions for determining by the control that a second dedicated predetermined event has been generated by the user at a second computing system; searching the network cut-and-paste data structure as a result of the second dedicated predetermined event wherein the second dedicated predetermined event is an indication to copy the information from the network cut-and-paste data structure to the second computing system;

determining the copied information associated with the associated user-id

exists in the network cut-and-paste data structure; and as a result, pasting the copied information from the cut-and-paste data-structure to a the second computing system. This claim is objected to because it depends upon a rejected claim.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Runaldue et al. (U.S. 6,128,654) teaches "Method and Apparatus for Transmitting Multiple Copies by Replicating Data Identitifiers."
- Erimli (U.S. 6,487,199) teaches "Method and Apparatus for Maintaining Randomly Accessible Copy Number Information On a Network Switch."
- Yu et al. (U.S. 6,504,846) teaches "Method and Apparatus For Reclaiming Buffers Using A Single Buffer Bit."
- Selkirk et al. (U.S. 6,779,094) teaches " Apparatus And Method For Instant Copy Of Data By Writing New Data To An Additional Physical Storage Area."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (703) 305-0325. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy
Patent Examiner
Art Unit 2157

***
EC
June 21, 2004

SALEH NAJJAR
PRIMARY EXAMINER